

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMARCUS FENNELL	:	CIVIL ACTION
	:	
v.	:	NO. 18-4226
	:	
WARDEN LAURA KUYKENDALL, et	:	
al	:	

ORDER

AND NOW, this 14th day of January 2019, upon considering Defendant Brian Fallock's Motion to dismiss (ECF Doc. No. 19) the second amended Complaint (ECF Doc. No. 16), and Plaintiff's Response by way of a Motion in Opposition (ECF Doc. No. 20), Defendant's Reply (ECF Doc. No. 21), and for reasons in the accompanying Memorandum, it is **ORDERED** Plaintiff's Motion in Opposition (ECF Doc. No. 20) is **DENIED** and Defendant Fallock's Motion to dismiss (ECF Doc. No. 19) is **GRANTED without prejudice** to Plaintiff filing an amended Complaint consistent with the accompanying Memorandum and based upon a good faith understanding of the facts no later than **February 15, 2019** or we will close this case.



KEARNEY, J.